

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WILLIAM L. DIXON,)
Plaintiff,)
v.) 2:18cv601
MICHAEL W. FLOYD,)
Defendant.)

ORDER REFERRING CASE TO ALTERNATIVE DISPUTE RESOLUTION

After due consideration of the issues and in consultation with the parties, the Court finds that this case is appropriate for referral to an alternative form of dispute resolution as provided by the local rules of this Court.

IT IS HEREBY ORDERED:

(a) Referral to ADR: This case is referred to Mediation. **Damon Faldowski, Esquire** is appointed to serve as the mediator. Compensation of the mediator will be as follows: The Plaintiff shall pay fifty percent of the compensation and costs of the mediator and the Defendant shall pay fifty percent of the compensation and costs of the mediator. Compensation shall be paid directly to the mediator upon the conclusion of the ADR process. Failure to pay the mediator shall be brought to the attention of the Court.

(b) Conduct of ADR Conference: The mediation shall be conducted in accordance with Local Rule 16.2 and the Court's ADR Policies and Procedures.

(c) Scheduling ADR Conference: The mediation shall be concluded before **September 17, 2018**, unless extended by order of the court. The mediation may be conducted at any location agreed to by the parties, counsel, and the assigned mediator. **The report of the mediator shall be electronically filed with the court within seven (7) days of the date of the mediation.**

(d) Designation of Lead Counsel: **George R. Farneth, II**, counsel for plaintiff, is designated as lead counsel and shall be responsible for working with the parties and the mediator to coordinate an agreeable date, time and location for the mediation.

(e) Responsibilities of Lead Counsel: It is the responsibility of lead counsel to insure that notice of the date, time and location of the mediation has been electronically filed with the Court on or before **August 2, 2018**. THE COURT SHALL BE PROMPTLY NOTICED OF ANY RESCHEDULED DATE FOR THE SCHEDULED CONFERENCE.

If the parties are utilizing a private process, the case is still governed by the Court's Local Rules and ADR Policies and Procedures. When private processes are used, it is the responsibility of counsel to ensure that all of the proper forms are timely submitted and filed, as required by Policies and Procedures.

The parties are hereby notified that any individual neutral (Court approved or private) is required to become a registered user of the Electronic Case Filing System (ECF) in the United States District Court for the Western District of Pennsylvania. Counsel shall so notify their agreed upon neutral and refer them to the Court's website at www.pawd.uscourts.gov for user registration forms. Counsel shall confirm to the Court that the selected neutral has completed the process.

Nothing in this order alters the Case Management Order previously entered in this case. All deadlines set forth in that Case Management Order remain in full force and effect.

SO ORDERED this 20th day of July, 2018.

s/ DAVID STEWART CERcone
David Stewart Cercone
Senior United States District Judge

cc: George R. Farneth, II, Esquire
LeeAnn A. Fulena, Esquire
Jeffrey P. Myers, Esquire
Damon Faldowski, Esquire

(Via CM/ECF Electronic Filing)